

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

RASHEED I. MUHAMMED,

Petitioner,

v.

TROY STEELE,

Respondent.

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Case No.4:13CV00311 AGF

MEMORANDUM AND ORDER

This matter is before the Court on Petitioner's motion for appointment of counsel and Respondent's request for additional time to file its responsive brief.

Petitioner is a Missouri state inmate seeking federal habeas relief under 28 U.S.C. § 2254. He claims that his guilty plea to charges of second degree murder and armed criminal action was unconstitutional for various reasons, including ineffective assistance of counsel due to counsel's failure to fully inform Petitioner of the defenses available to him if he proceeded to trial and of the consequences of his guilty plea.

There is no constitutional right for a pro se habeas petitioner to have counsel appointed, although the Court has discretion to appoint an attorney when necessary. *Coleman v. Thompson*, 501 U.S. 722, 752 (1991); *Lopez-Lopez v. Sanders*, 590 F.3d 905, 906 (8th Cir. 2010). Among the factors a court should consider in making this determination are the factual and legal complexity of the case, the ability of the petitioner to present the facts and present his claims, and the degree to which the petitioner and the Court would benefit from such an appointment. *Morris v. Dormire*, 217 F.3d 556, 558-

59 (8th Cir. 2000); *Hoggard v. Purkett*, 29 F.3d 469, 471 (8th Cir. 1994).

Upon review of the record, the Court does not believe that the appointment of counsel is necessary here.

Also before the Court is Respondent's request for an extension of time to file his response to the petition for habeas corpus. The Court previously granted Respondent a brief extension through May 8, 2013. Respondent now seeks additional time, citing the press of urgent matters for briefing and trial. Upon consideration of Respondent's request, and for good cause shown, the Court will grant an additional extension of time.

Accordingly,

IT IS HEREBY ORDERED that Petitioner's motion for appointment of counsel is **DENIED**. (Doc. No. 4.)

IT IS FURTHER ORDERED that Respondent's motion for additional time to file a responsive brief is **GRANTED**. (Doc. No. 10.) Respondent shall file his brief on or before **May 27, 2013**.


AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE

Dated this 20th day of May, 2013.